

Appln No. 09/647,899
Amdt date July 28, 2003
Reply to Office action of March, 26, 2003

REMARKS/ARGUMENTS

This amendment is submitted in response to the Office action mailed March 26, 2003. Claims 1, 3, 4, 5 and 27 have been amended to place them in proper form for allowance. Claim 2 has been canceled without prejudice. Claims 1-43 are pending in the application. Claims 3, 5, 25 and 34-42 have been withdrawn from consideration as being drawn to a non-elected species, therebeing no allowable generic claim. Each of these claims, however, depends from claim 1. Accordingly, upon allowance of claim 1, applicant requests reconsideration of these claims.

Applicant acknowledges with appreciation that on page 2 of the Office action, the Examiner indicates that the drawings filed on January 13, 2003 are approved.

On pages 2 and 3 of the Office action, claims 1, 2, 4, 6-24 and 43 are rejected as indefinite under 35 U.S.C. 112, second paragraph. Applicant has amended claim 1 to specify that "the plug-in connector" in line 12 is "each plug-in connector," as discussed above on line 10. Applicant has also amended line 13 to recite "a respective one of the receptacles." Applicant has deleted "the" on line 16 to correct for a lack of antecedent basis for "gear forces." Applicant has made similar amendments to claim 27. Applicant has also corrected the grammar of claim 4, line 2 by reciting that the "at least two housing plates comprise," rather than "comprises." Line 3 of claim 4 was also amended to substitute "shaped" for "like," to address how the housing plates are "like" a disc. In light of these amendments, applicant respectfully requests that the rejections under 35 U.S.C. 112 be withdrawn.

On pages 3 and 4 of the Office action, claims 1, 2, 4, 6-15, 24 and 26 are rejected under 35 U.S.C. 102 as being anticipated by Weber. Applicant respectfully disagrees. Among other things, claim 1 recites, "wherein the plug-in connectors are formed sufficiently rigid to fix the at least two housing plates relative to each other in all three-dimensional directions and to form supporting connecting joints which absorb gear forces." The advantage of this rigid formation of the plug-in connectors is discussed in the first paragraph of page 3 of applicant's specification:

The gear elements are mounted in a gear housing which consist of at least two housing plates which are fixed against each other through plug-type connectors wherein the plug-type connectors serve at the same time as supporting connecting

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joints which absorb the gear forces and to this end are designed correspondingly rigid.

Claim 1 thus recites a plug-in connector of at least two housing plates be sufficiently *rigid* to 1) *fix* the housing plates *relative to each other* in every direction, *and* 2) to absorb gear forces.

In contrast to such a gear housing, Weber relates only to a housing for "an adjustment device for an aiming device, for example a headlamp." To this end, Weber discloses a *flexible* "attaching means." This attaching means includes upright projections 8, which flex inward when the upper and lower body parts 1 and 2 are pressed together. Weber, col. 3, lines 9-24. Rather than teaching a rigid connector capable of absorbing gear forces and fixing the position of two housing parts relative to each other in all directions, "the resilient nature of the connector 8 may allow for some movement of the housing plates relative to one another," as the Examiner pointed out on page 5 of the Office action. Applicant respectfully submits that Weber does not teach or suggest all of the limitations of applicant's claims, and, in fact, appears to teach that the connector is substantially non-rigid. Applicant therefore respectfully requests that claim 1 and its dependent claims be allowed.

Claim 1 also recites, among other things, that "the at least two housing plates are fixed relative to each other solely at the plug-in connections." Weber, in contrast, teaches that the housing plates are "connected" at the "attaching means" (projections 8 extending into receptacles 10), *and also by* a "connecting element 11[, which] extends through a longitudinal opening 14 provided in the upper body part 2," and through the openings in the upwardly projecting walls (not numbered) on the lower body part 1. Weber, col. 3, lines 29-34; Figure 1. Also aiding in any fixation of the housing plates in Weber are end tabs 7, which surround the upper body part 2 and limit its movement relative to the lower body part 1, on which the end tabs are fixed. Weber, Figure 1. Because Weber does not teach or suggest that the housing plates are fixed relative to each other solely at the plug-in connectors, but, in fact, appears to show many locations and structures needed to fix the housing plates relative to each other (if they are fixed at all), applicant respectfully submits that Weber fails to anticipate claim 1. Applicant therefore

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respectfully requests that the rejection under 35 U.S.C. 102 for claim 1 and its dependent claims be withdrawn.

On page 4 of the Office action, claims 16-23 are rejected as obvious over Weber in light of Isomura. Applicant respectfully submits that Isomura, Weber, or the combination of the two fails to teach or suggest all of the limitations of claim 1, as discussed above. Applicant further submits that claims 16-23 include additional limitations not taught or suggested in either of the references.

On pages 4-5 of the Office action, claims 27-33 are rejected as obvious over Weber in light of its inherent disclosure. Applicant respectfully disagrees. For the reasons discussed regarding claim 1, above, applicant also submits that claims 27-33 are patentable over Weber. In addition, the two body parts as described in Weber are connected to each other by snapping in the upright projections whereby the connection is established at once. The two parts are either fully connected or completely unconnected. On the contrary, steps c) and e) of claim 27 recite holding of the two housing plates first with a sufficiently light holding force for aligning the gear and then with increasing holding force to fix the parts relative to each other. This method is not applicable to the adjustment device of Weber, nor is this method taught or suggested by Weber. Applicant therefore respectfully requests that the rejection of claims 27-33 be withdrawn.

In view of the above, applicant respectfully requests reconsideration of the application and allowance of claims 1-43. If a telephone interview would aid in the resolution of this matter, the Examiner is encouraged to contact applicant's attorneys to discuss the application.

Respectfully submitted,
CHRISTIE, PARKER & HALE, LLP

By 

Rose A. Hickman
Reg. No. P-54,167
626/795-9900

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